

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1059 - SB 1058

March 7, 2011

SUMMARY OF BILL: Requires the Senate and House of Representatives Judiciary Committees to study all aspects of capital punishment trials in Tennessee and to report their findings and recommendations to the Governor and the General Assembly no later than January 15, 2012. Establishes a moratorium preventing execution of any person through April 15, 2012.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – Net Impact - \$7,100/Incarceration*
\$6,400/Each One-Day Meeting**

Assumptions:

- Tennessee has executed six offenders since April 2000. Currently there are 85 offenders on death row. The cost of execution is \$15,000.
- According to the Department of Correction (DOC), the average operating cost per offender per day for calendar year 2011 is \$60.62. A moratorium on executions would increase state expenditures by \$22,141.46 (\$60.62 x 365.25 days) per year for each year that an offender is housed in a state facility rather than being executed.
- One execution scheduled prior to April 15, 2012, will be postponed as a result of the moratorium.
- The net impact on state expenditures for incarceration cost would be an increase in state expenditures of \$7,141.46 (\$22,141.46 - \$15,000).
- Travel and per diem expenses for 21 legislative members of \$6,362.16 per meeting (\$176 per diem plus \$126.96 mileage for each member).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc